

REFERENCE TITLE: school districts; state mandates; funding

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2504

Introduced by
Representative Pancrazi, Senator Aguirre: Representatives Jones, Waters

AN ACT

AMENDING TITLE 15, CHAPTER 9, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-981; RELATING TO SCHOOL FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 15, chapter 9, article 5, Arizona Revised Statutes,
3 is amended by adding section 15-981, to read:

4 15-981. State mandates to school districts: exceptions:
5 formula: definition

6 A. IF A SCHOOL DISTRICT IS REQUIRED TO INSTITUTE A STATE MANDATE, THE
7 LAW OR ACTION THAT ESTABLISHES THE STATE MANDATE IS NOT APPLICABLE TO THE
8 SCHOOL DISTRICT UNLESS THE LEGISLATURE PROVIDES FOR THE ACTUAL SCHOOL
9 DISTRICT COSTS OF INSTITUTING THE STATE MANDATE BY:

10 1. APPROPRIATING MONIES IN AN AMOUNT SUFFICIENT TO PAY FOR THE STATE
11 MANDATE.

12 2. PRESCRIBING NEW OR INCREASED REVENUE SOURCES THAT ARE DEDICATED TO
13 PAYING FOR THE STATE MANDATE.

14 B. A STATE MANDATE TO A SCHOOL DISTRICT THAT THE LEGISLATURE FAILS TO
15 FULLY FUND PURSUANT TO SUBSECTION A IS NOT A LAWFUL REQUIREMENT OF THE SCHOOL
16 DISTRICT TO IMPLEMENT, PAY FOR OR ENFORCE AND REQUIRES NO ACTION ON THE PART
17 OF THE SCHOOL DISTRICT.

18 C. THE FUNDING PROVISIONS OF THIS SECTION DO NOT APPLY TO CRIMINAL
19 LAWS OR ANY OTHER LAWS OR ADMINISTRATIVE ACTIONS THAT AFFECT ALL PERSONS,
20 PUBLIC AND PRIVATE, AS A GENERAL CLASS OF WHICH THE SCHOOL DISTRICT MAY BE A
21 MEMBER.

22 D. FUNDING FOR ALL STATE MANDATES SHALL BE DISBURSED THROUGH A FORMULA
23 DERIVED BY THE LEGISLATURE TO ENSURE THAT EACH SCHOOL DISTRICT IN THIS STATE
24 RECEIVES AN EQUITABLE SHARE OF THE FUNDING AVAILABLE BASED ON THE ACTUAL COST
25 PER PUPIL.

26 E. FOR THE PURPOSES OF THIS SECTION, "STATE MANDATE" MEANS A LAW,
27 ADMINISTRATIVE PROCEDURE, RULE OR OTHER ACTION BY AN ADMINISTRATIVE BODY
28 PURSUANT TO A LAW TO INSTITUTE A NEW PROGRAM, AN INCREASED LEVEL OF SERVICE
29 OF AN EXISTING PROGRAM OR ADDITIONAL OR INCREASED PERSONNEL COSTS ARISING OUT
30 OF SUCH A LAW, ADMINISTRATIVE PROCEDURE, RULE OR OTHER ACTION.